




INTERNAL MANAGEMENT POLICY & PROCEDURE	SECTION NUMBER 05-110	PAGE NUMBER 1 of 2
	CHAPTER & SUBJECT: INFORMATION TECHNOLOGY AND RECORDS: Case Records Management	
Approved By:  Commissioner of the Juvenile Justice Authority		Original Date Issued: 05/03/00
		Current Amendment Effective: 11/29/06
		Replaces Amendment Issued: 11/15/01

POLICY

Necessary and reasonable safeguards shall be implemented to ensure that information contained in juvenile records is safeguarded from unauthorized access and improper disclosure.

Agency employees and contract employees shall have access to juvenile and former juvenile records on a need to know basis and only to the extent that such access is necessary for the performance of their assigned duties. (2-CO-1E-08) Information shall be shared with other criminal justice agencies and units of government, the media and the public consistent with applicable statutes and regulations regarding privacy and confidentiality.

DEFINITIONS

None.

PROCEDURES

I. Case Records Management

- A. Each juvenile correctional facility shall establish case records management facility orders, including procedures dealing with privacy, security, right to access, release of information, preservation, and destruction of case records. (2-CO-1E-01, 2-CO-1E-07; 3-JTS-1E-01, 3-JTS-1E-04)
- B. A case record shall be maintained within the facility for all juveniles committed to its care. (2-CO-1E-02; 3-JTS-1E-02)
 1. Each juvenile shall have an up-to-date case record or case file that contains both background and current information.
 2. The contents of the case record shall be identified and separated according to an established format to assist staff in locating information, filing reports properly, and identifying gaps in information. (2-CO-1E-03; 3-JTS-1E-05)
- C. Although medical and educational records are part of the master record, both shall be stored in separate secured areas of the facility. (3-JTS-1E-02)
- D. Facility orders concerning case records management shall provide that an updated case file for any juvenile transferred from one facility to another shall be transferred simultaneously. In situations where

a juvenile's case file cannot be transferred simultaneously with the juvenile, the case file shall be transferred no later than three (3) working days. (2-CO-1E-04; 3-JTS-1E-03)

- E. Facility orders shall also provide for a regular review of case records to ensure that appropriate and accurate material is being entered. (2-CO-1E-09; 3-JTS-1E-01)

II. Access to Case Records

- A. Each juvenile correctional facility shall establish facility orders governing access to information in the case record.
- B. Juveniles shall have access to their case records and files consistent with applicable statutes and security precautions. (2-CO-1E-06)
- C. There shall be safeguards from unauthorized and improper disclosure. Only those employees and public agencies on a "right to know" and "need to know" basis shall have access. (2-CO-1E-08; 3-JTS-1E-07)

NOTE: The policy and procedures set forth herein are intended to establish directives and guidelines for staff and juveniles and those entities that are contractually bound to adhere to them. They are not intended to establish State created liberty interests for employees or juveniles, or an independent duty owed by the Juvenile Justice Authority to employees, juveniles, or third parties. This policy and procedure is not intended to establish or create new constitutional rights or to enlarge or expand upon existing constitutional rights or duties.

REPORTS REQUIRED

None.

REFERENCES

K.S.A. 38-1609, 38-1610, 38-1614, 45-205, *et seq.*

K.A.R. 53-4-1

ACA: 2-CO-1E-01, 2-CO-1E-02, 2-CO-1E-03, 2-CO-1E-04, 2-CO-1E-06, 2-CO-1E-07, 2-CO-1E-08, 2-CO-1E-09

JTS: 3-JTS-1E-01, 3-JTS-1E-02, 3-JTS-1E-03, 3-JTS-1E-04, 3-JTS-1E-05, 3-JTS-1E-07

ATTACHMENTS

None.